

AF/1638/44



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**BOX AF**

MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1638

PATENT  
2185-0208P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Tomokazu KOSHIBA Conf.: 9009  
Appl. No.: 08/943,144 Group: 1638  
Filed: October 3, 1997 Examiner: KALLIS, R.  
For: ALDEHYDE OXIDASE GENE DERIVED FROM PLANT  
AND UTILIZATION THEREOF

RECEIVED  
TECH CENTER 1600/2900  
JUL 30 2003

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

**MS AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 28, 2003  
(Monday)

07/30/2003 MBERHE 00000100 09943144

Sir: 01 FC:1401 320.00 OP  
02 FC:1252 410.00 OP

Applicants hereby appeal to the Board of Appeals from the decision dated February 26, 2003 of the Primary Examiner finally rejecting claims.

This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of two (2) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$410.00 is required for the full period of the above-requested extension of time.

An extension of \_\_\_\_\_ ( ) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$0.00 is required to obtain an additional \_\_\_\_\_ ( ) month(s) for filing the Notice of

Appeal.

- Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$320.00  
 Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$0.00.

Payment of the above TOTAL FEE is being made in the following manner:

- Check(s) in the amount of \$730.00 is/are enclosed.  
 Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066

lh  
RCS/TBS/mua  
2185-0208P

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(Rev. 04/30/03)